

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUANDISHA SAPP,

24-cv-645 (PKC)

Plaintiff,

v.

ORDER

CITY OF NEW YORK, et al.,

Defendants.

CASTEL, United States District Judge.

The Court, adopting the parties' joint proposal, set fact discovery to close on January 10, 2025. (ECF 39.) The Court further extended fact discovery to February 24, 2025.

Defendants wrote to the Court on February 18, 2025 explaining that three of the defendants have been examined by plaintiff's counsel but that counsel has been unable to secure a deposition of plaintiff. (ECF 44.) Plaintiff's counsel advises that her client has endeavored to reach plaintiff over an 18-day period and believed she is in temporary housing. (ECF 45.) She advised that her family court attorneys are unable to locate her. (Id.) Plaintiff's counsel further reports that Since February 18 she has been in near daily contact with plaintiff who has called from a 312 area code and has "evident health impairments." (Id.)

Balancing the competing interests of accommodating plaintiff's unspecified health impairments and allowing defendants the opportunity to defend the claims, the Court ORDERS as follows:


1. Fact and expert discovery in this action are extended to June 6, 2025.
2. Plaintiff Juandisha Sapp shall be produced for her deposition by May 2, 2025.

Failure to appear for a deposition by May 2, 2025, will result in the sanction

of dismissal of the action for failure to prosecute and failure to comply with this Order.

3. All other relief sought by either side, including an indefinite stay of discovery, is denied.
4. Letter motion at ECF 44 should be terminated.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
February 27, 2025